

MINUTES

MONTANA SENATE 60th LEGISLATURE - 2007 MAY SPECIAL SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on May 14, 2007 at 5:30 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Kim Gillan, Vice Chairman (D)
Sen. Bob Story Jr., Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Sam Kitzenberg (D)
Sen. Jim Peterson (R)

Members Excused:

Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: SB 1; HB 3

00:00:14

CONTINUATION OF EXECUTIVE ACTION ON SB 1

00:00:45 **SEN. JEFF ESSMANN** withdrew the DO PASS motion on SB 1.
No further action was taken.

EXECUTIVE ACTION ON HB 3

00:01:03 **Motion:** **SEN. JIM PETERSON** moved that HB 3 BE CONCURRED
IN.

00:01:45 **Motion:** **SEN. ESSMANN** moved that amendment
#HB000312.ALH BE ADOPTED.

EXHIBIT(tas04b01)

Discussion:

00:04:11 Sen. Kim Gillan to Sen. Essmann

00:06:00 Sen. Jim Elliott to Sen. Robert Story

00:07:01 Sen. Gillan to Sen. Essmann

00:08:05 Sen. Peterson

00:10:14 **Substitute Motion:** **SEN. HARRINGTON** made a substitute
motion to segregate and DO NOT PASS amendments #4 AND
#5 of amendment #HB000312.ALH.

Discussion:

00:11:51 Sen. Peterson

00:12:52 Sen. Harrington

00:13:06 Sen. Essmann

00:14:30 Sen. Jerry Black

00:16:01 Sen. Elliott

00:17:10 **Vote:** Motion to segregate and DO NOT PASS amendments #4 and #5 of amendment #HB000312.ALH failed 5-6 by roll call vote with SEN. HARRINGTON, SEN. KAUFMANN, SEN. KITZENBERG, SEN. SCHMIDT, and SEN. ELLIOTT voting aye. SEN. SCHMIDT voted aye by proxy.

00:19:09 **Motion/Vote:** SEN. PETERSON moved that #HB000312.ALH BE ADOPTED. Motion carried 6-5 by roll call vote with SEN. ELLIOTT, SEN. HARRINGTON, SEN. KAUFMANN, SEN. KITZENBERG, and SEN. SCHMIDT voting no. SEN. SCHMIDT voted no by proxy.

Discussion:

00:22:39 Sen. Elliott to Sen. Christine Kaufmann

00:24:13 Sen. Kaufmann

00:25:27 Sen. Gillan to Sen. Kaufmann

00:26:00 Sen. Elliott

00:27:14 Sen. Peterson

00:28:02 Sen. Gillan to Sen. Peterson

00:29:33 Sen. Sam Kitzenberg

00:31:28 **Motion:** SEN. KAUFMANN moved to further amend HB 3 with a CONCEPTUAL AMENDMENT.

Discussion:

00:32:27 Sen. Black

00:35:03 Sen. Elliott

00:35:31 **Vote:** Motion that the CONCEPTUAL AMENDMENT BE ADOPTED carried 7-4 by roll call vote with SEN. BLACK, SEN. KITZENBERG, SEN. PETERSON, and SEN. STORY voting no. SEN. SCHMIDT voted aye by proxy.

Discussion:

00:36:55 Sen. Peterson to Leo Berry, Great Northern Properties

00:38:22 Sen. Peterson to Mr. Berry, Great Northern Properties

00:38:35 Lee Heiman, Staff Attorney, Legislative Services
Division (LSD)

00:39:42 **Motion/Vote:** SEN. STORY moved to further amend HB 3
with a CONCEPTUAL AMENDMENT. Motion carried unanimously
by voice vote. SEN. SCHMIDT voted aye by proxy.

00:40:14 **Motion:** SEN. PETERSON moved that HB 3 BE CONCURRED IN
AS AMENDED.

Discussion:

00:40:30 Sen. Gillan

00:41:31 Sen. Elliott

00:42:24 **Vote:** Motion that HB 3 BE CONCURRED IN AS AMENDED
carried 7-4 by roll call vote with SEN. ELLIOTT, SEN.
KAUFMANN, SEN. KITZENBERG, and SEN. STORY voting no.
SEN. SCHMIDT voted aye by proxy.

RECESS

Recess: 6:45 P.M.

SEN. JIM ELLIOTT, Chairman

LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

EXHIBIT ([tas04bad.pdf](#))